

1 RICK A. YARNALL  
2 CHAPTER 13 BANKRUPTCY TRUSTEE  
3 701 Bridger Ave  
4 Suite 820  
5 Las Vegas, NV 89101  
6 (702) 853-4500

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
ANA P OJEDA

CASE NO: BKS-18-12624-MKN

CHAPTER 13

Hearing Date: 7/12/2018

Hearing Time: 1:30 PM

LAW OFFICE OF MICHAEL J F  
Attorney for the Debtor

**TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**

Chapter 13 Bankruptcy Trustee, RICK A YARNALL, TRUSTEE, hereby obejts to confirmation of the Chapter 13 Plan. The Debtor filed for Chapter 13 relief on 5/4/2018. The 341(a) Meeting of Creditors held on 6/19/2018 at 10:00 a.m. was concluded. The Trustee objects to confirmation of the plan for the following reason:

- Debtor failed to commence making timely payments under § 1326.

In order to complete his investigation into the Debtor's financial affairs, Trustee requires the following documentation:

- Verification of all sources of income received each month through confirmation of the plan;
- Evidence that vehicle payments are current;
- Other: Provide documentation as to source of large deposits and use of funds: Chase #9162: 1/10 \$11,850.58;

These objections increase the Debtor's disposable income. Debtor's plan does not provide for all of Debtor's disposable income, therefore Trustee requests that confirmation of the plan be denied.

Trustee further opposes confirmation for the following reasons:

- Feasibility of the proposed plan relies on the Debtor successfully obtaining a loan modification. Trustee asks that this Court withhold from entering an order confirming the instant case until the loan modification is approved;

1 • Plan requires the Debtor to successfully avoid a second deed of trust. Trustee asks that this Court withhold from  
2 confirming the instant plan until an order avoiding the lien has been entered;

3 • Plan is not feasible;

4 • Plan does not provide for all secured and priority claims filed;

5 Trustee reserves the right to make further objections to confirmation and requests for documentation until the above  
6 mentioned documents have been received, amendments have been made, and the plan is ultimately confirmed or  
7 dismissed. In the event that the Debtor(s) fail to timely resolve Trustee's objection to confirmation, Trustee requests that  
8 confirmation be denied.

9 Therefore, the Trustee objects to confirmation for the foregoing reasons and recommends that confirmation be denied.

10 DATED this 20th day of June, 2018.

11  
12 /s/ Rick A. Yarnall

13 RICK A. YARNALL

14 Chapter 13 Bankruptcy Trustee

15 701 Bridger Ave, Suite 820

16 Las Vegas, Nevada 89101  
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18 **CERTIFICATE OF SERVICE**

19 I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Bankruptcy Trustee; that I am over the  
20 age of 18 years; and that on the 20th day of June, 2018, I provided a copy of the Trustee's Opposition to  
21 Confirmation of Plan Combined With a Certificate of Service to each of the following by:  
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1 [ x ] a. **ECF System:**  
2 MICHAEL J. HARKER notices@harkerlawfirm.com, mharker@harkerlawfirm.com;  
3 r41501@notify.bestcase.com

4 [ x ] b. **United States mail, postage fully prepaid:**

5 ANA P OJEDA  
6 418 PALEGOLD STREET  
7 HENDERSON, NV 89012

8 /s/ Cindy Coons  
9 Cindy Coons, an Employee of  
10 RICK A. YARNALL  
11 Chapter 13 Bankruptcy Trustee  
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